

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

CLAUDE R. CAHEN, M.D.

Case No. 8002016022279

**Physician's and Surgeon's
Certificate No. A43907**

Respondent

DECISION

**The attached Stipulated Surrender of License and Order is hereby
adopted as the Decision and Order of the Medical Board of California,
Department of Consumer Affairs, State of California.**

This Decision shall become effective at 5:00 p.m. on AUGUST 10, 2017.

IT IS SO ORDERED AUGUST 3, 2017.

MEDICAL BOARD OF CALIFORNIA

By: Kimberly Kirchmeyer
Kimberly Kirchmeyer
Executive Director

1 XAVIER BECERRA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 NICHOLAS B.C. SCHULTZ
Deputy Attorney General
4 State Bar No. 302151
California Department of Justice
5 300 South Spring Street, Suite 1702
Los Angeles, California 90013
6 Telephone: (213) 897-6564
Facsimile: (213) 897-9395
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 800-2016-022279

12 CLAUDE R. CAHEN, M.D.
2722 Montana Avenue
13 Santa Monica, California 90403

OAH No. 2017030995

14 Physician's and Surgeon's Certificate
No. A 43907,

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15
16 Respondent.

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
21 of California, Department of Consumer Affairs (Board). She brought this action solely in her
22 official capacity and is represented in this matter by Xavier Becerra, Attorney General of the
23 State of California, by Nicholas B.C. Schultz, Deputy Attorney General.

24 2. Claude R. Cahen, M.D. (Respondent) is represented in this proceeding by attorney
25 Michael J. Khouri, whose address is: Khouri Law Firm, 24012 Calle De La Plata, Suite 210,
26 Laguna Hills, California 92653.

27 3. On or about August 10, 1987, the Board issued Physician's and Surgeon's Certificate
28 No. A 43907 to Respondent. The Physician's and Surgeon's Certificate was in full force and

1 effect at all times relevant to the charges brought in Accusation No. 800-2016-022279, and it will
2 expire on December 31, 2018, unless renewed.

3 **JURISDICTION**

4 4. Accusation No. 800-2016-022279 was filed before the Medical Board of California
5 and is currently pending against Respondent. The Accusation and all other statutorily required
6 documents were properly served on Respondent on February 2, 2017. Respondent timely filed
7 his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2016-022279 is
8 attached as Exhibit A and incorporated by reference.

9 **ADVISEMENT AND WAIVERS**

10 5. Respondent has carefully read, fully discussed with counsel, and understands the
11 charges and allegations in Accusation No. 800-2016-022279. Respondent also has carefully read,
12 fully discussed with counsel, and understands the effects of this Stipulated Surrender of License
13 and Order.

14 6. Respondent is fully aware of his legal rights in this matter including: the right to a
15 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
16 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
17 to the issuance of subpoenas to compel the attendance of witnesses and the production of
18 documents; the right to reconsideration and court review of an adverse decision; and all other
19 rights accorded by the California Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
21 every right set forth above.

22 **CULPABILITY**

23 8. Respondent admits the truth of each and every charge and allegation in Accusation
24 No. 800-2016-022279, and he agrees that cause exists for discipline and hereby surrenders his
25 Physician's and Surgeon's Certificate No. A 43907 for the Board's formal acceptance.

26 9. Respondent understands that by signing this Stipulated Surrender of License he
27 enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's
28 Certificate without further process.

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2. Respondent shall lose all rights and privileges as a physician and surgeon in the State of California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, then the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 800-2016-022279 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.


5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, then all of the charges and allegations contained in Accusation, No. 800-2016-022279 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and I have fully discussed it with my attorney, Michael J. Khouri, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and I agree to be bound by the Decision and Order of the Medical Board of California.

DATED:

6/19/2017


CLAUDE R. CAHEN, M.D.
Respondent

///

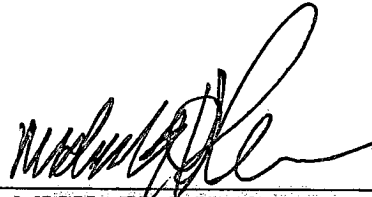
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1 I have read and fully discussed with Respondent Claude R. Cahen, M.D. the terms and
2 conditions and other matters contained in this Stipulated Surrender of License and Order. I
3 approve its form and content.

4
5 DATED: June 22, 2017



MICHAEL J. KHOURI, ESQ.
Attorney for Respondent

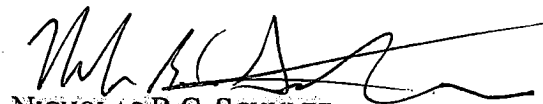
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8 **ENDORSEMENT**

9 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
10 for consideration by the Medical Board of California of the Department of Consumer Affairs.

11 Dated: June 23, 2017

Respectfully submitted,

12 XAVIER BECERRA
13 Attorney General of California
14 JUDITH T. ALVARADO
Supervising Deputy Attorney General



15 NICHOLAS B.C. SCHULTZ
16 Deputy Attorney General
17 *Attorneys for Complainant*

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Exhibit A

Accusation No. 800-2016-022279

1 KATHLEEN A. KENEALY
Acting Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 NICHOLAS B.C. SCHULTZ
Deputy Attorney General
4 State Bar No. 302151
California Department of Justice
5 300 South Spring Street, Suite 1702
Los Angeles, California 90013
6 Telephone: (213) 897-6564
Facsimile: (213) 897-9395
7 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO *Feb 2 20 17*
BY *[Signature]* ANALYST

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 800-2016-022279

12 CLAUDE R. CAHEN, M.D.
2722 Montana Avenue
13 Santa Monica, California 90403

ACCUSATION

14 Physician's and Surgeon's Certificate
15 No. A 43907,

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
21 capacity as the Executive Director of the Medical Board of California, Department of Consumer
22 Affairs (Board).

23 2. On or about August 10, 1987, the Medical Board issued Physician's and Surgeon's
24 Certificate Number A 43907 to Claude R. Cahen, M.D. (Respondent). The Physician's and
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
26 herein and will expire on December 31, 2018, unless renewed.

27 ///

28 ///

JURISDICTION

3. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2227 of the Code states:

“(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:

“(1) Have his or her license revoked upon order of the board.

“(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.

“(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

“(4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.

“(5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.

“(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.”

5. Section 2234 of the Code, states:

“The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

///

1 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
2 violation of, or conspiring to violate any provision of this chapter.

3 “... ”

4 “(e) The commission of any act involving dishonesty or corruption which is substantially
5 related to the qualifications, functions, or duties of a physician and surgeon.

6 “... ”

7 6. Section 2236 of the Code states:

8 “(a) The conviction of any offense substantially related to the qualifications, functions, or
9 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this
10 chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive
11 evidence only of the fact that the conviction occurred.

12 “(b) The district attorney, city attorney, or other prosecuting agency shall notify the
13 Division of Medical Quality¹ of the pendency of an action against a licensee charging a felony or
14 misdemeanor immediately upon obtaining information that the defendant is a licensee. The notice
15 shall identify the licensee and describe the crimes charged and the facts alleged. The prosecuting
16 agency shall also notify the clerk of the court in which the action is pending that the defendant is a
17 licensee, and the clerk shall record prominently in the file that the defendant holds a license as a
18 physician and surgeon.

19 “(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours
20 after the conviction, transmit a certified copy of the record of conviction to the board. The
21 division may inquire into the circumstances surrounding the commission of a crime in order to fix
22 the degree of discipline or to determine if the conviction is of an offense substantially related to
23 the qualifications, functions, or duties of a physician and surgeon.

24 ///

25 _____
26 ¹ California Business and Professions Code Section 2002, as amended and effective January 1,
27 2008, provides that, unless otherwise expressly provided, the term “board” as used in the State Medical
28 Practice Act (Cal. Bus. & Prof. Code §§§§ 2000, et seq.) means the “Medical Board of California” and
references to the “Division of Medical Quality” and “Division of Licensing” in the Act or any other
provision of law shall be deemed to refer to the Board.

1 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to
2 be a conviction within the meaning of this section and Section 2236.1. The record of conviction
3 shall be conclusive evidence of the fact that the conviction occurred.”

4 7. Section 490 of the Code states:

5 “(a) In addition to any other action that a board is permitted to take against a licensee, a
6 board may suspend or revoke a license on the ground that the licensee has been convicted of a
7 crime, if the crime is substantially related to the qualifications, functions, or duties of the business
8 or profession for which the license was issued.

9 “(b) Notwithstanding any other provision of law, a board may exercise any authority to
10 discipline a licensee for conviction of a crime that is independent of the authority granted under
11 subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties
12 of the business or profession for which the licensee’s license was issued.

13 “(c) A conviction within the meaning of this section means a plea or verdict of guilty or a
14 conviction following a plea of nolo contendere. Any action that a board is permitted to take
15 following the establishment of a conviction may be taken when the time for appeal has elapsed, or
16 the judgment of conviction has been affirmed on appeal, or when an order granting probation is
17 made suspending the imposition of sentence, irrespective of a subsequent order under the
18 provisions of Section 1203.4 of the Penal Code.

19 “(d) The Legislature hereby finds and declares that the application of this section has been
20 made unclear by the holding in *Petropoulos v. Department of Real Estate* (2006) 142 Cal.App.4th
21 554, and that the holding in that case has placed a significant number of statutes and regulations
22 in question, resulting in potential harm to the consumers of California from licensees who have
23 been convicted of crimes. Therefore, the Legislature finds and declares that this section
24 establishes an independent basis for a board to impose discipline upon a licensee, and that the
25 amendments to this section made by Chapter 33 of the Statutes of 2008 do not constitute a change
26 to, but rather are declaratory of, existing law.”

27 ///

28 ///

1 8. Section 493 of the Code states:

2 “Notwithstanding any other provision of law, in a proceeding conducted by a board within
3 the department pursuant to law to deny an application for a license or to suspend or revoke a
4 license or otherwise take disciplinary action against a person who holds a license, upon the
5 ground that the applicant or the licensee has been convicted of a crime substantially related to the
6 qualifications, functions, and duties of the licensee in question, the record of conviction of the
7 crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact,
8 and the board may inquire into the circumstances surrounding the commission of the crime in
9 order to fix the degree of discipline or to determine if the conviction is substantially related to the
10 qualifications, functions, and duties of the licensee in question.

11 “...”

12 9. California Code of Regulations, title 16, Section 1360 states:

13 “For the purposes of denial, suspension or revocation of a license, certificate or permit
14 pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be
15 considered to be substantially related to the qualifications, functions or duties of a person holding
16 a license, certificate or permit under the Medical Practice Act if to a substantial degree it
17 evidences present or potential unfitness of a person holding a license, certificate or permit to
18 perform the functions authorized by the license, certificate or permit in a manner consistent with
19 the public health, safety or welfare. Such crimes or acts shall include but not be limited to the
20 following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
21 violation of, or conspiring to violate any provision of the Medical Practice Act.”

22 **UNITED STATES CODE SECTIONS**

23 10. United States Code, title 18, Section 1347 states:

24 “(a) Whoever knowingly and willfully executes, or attempts to execute, a scheme or
25 artifice--

26 “(1) to defraud any health care benefit program; or

27 “(2) to obtain, by means of false or fraudulent pretenses, representations, or promises, any
28 of the money or property owned by, or under the custody or control of, any health care benefit

1 program,

2 "in connection with the delivery of or payment for health care benefits, items, or services,
3 shall be fined under this title or imprisoned not more than 10 years or both. If the violation results
4 in serious bodily injury (as defined in section 1365 of this title), such person shall be fined under
5 this title or imprisoned not more than 20 years, or both; and if the violation results in death, such
6 person shall be fined under this title, or imprisoned for any term of years or for life, or both.

7 "(b) With respect to violations of this section, a person need not have actual knowledge of
8 this section or specific intent to commit a violation of this section."

9 11. United States Code, title 18, Section 1349 states:

10 "Any person who attempts or conspires to commit any offense under this chapter shall be
11 subject to the same penalties as those prescribed for the offense, the commission of which was the
12 object of the attempt or conspiracy."

13 **FACTUAL SUMMARY**

14 12. On June 16, 2014, in the case entitled the *United States of America v. Claude R.*
15 *Cahen*, case number 2:14-cr-00178-PSG, in the United States District Court for the Central
16 District of California, Respondent entered a plea of guilty to Conspiracy to Commit Health Care
17 Fraud, a felony, in violation of United States Code, title 18, Section 1349. Respondent's
18 sentencing was initially continued to April 13, 2015, but later continued for an additional year.

19 13. Prior to sentencing, Respondent entered into and executed a plea agreement with the
20 United States Attorney's Office wherein Respondent agreed to the factual basis described in
21 paragraph 14 below. On March 28, 2016, Respondent was sentenced in this matter based on his
22 guilty plea to violating United States Code, title 18, Section 1349. Consequently, Respondent
23 was sentenced to the following:

24 A. One year and one day in the custody of the federal Bureau of Prisons with an
25 additional order that Respondent surrender himself to the Bureau of Prisons before 12:00 p.m. on
26 July 1, 2016;

27 B. Three years of supervised release upon his release from imprisonment;

28 C. Payment of \$573,315.19 in restitution as a condition of supervised release;

1 D. Payment of a \$100 special assessment to the United States as a condition of
2 supervised release;

3 E. A requirement that Respondent apply all monies received from income tax refunds
4 to his outstanding court-ordered financial obligations as a condition of supervised release;

5 F. A requirement that Respondent comply with rules and regulations of the United
6 States Probation Office and General Orders 05-02 and 01-05 as a condition of supervised release;

7 G. A requirement that Respondent cooperate in the collection of his DNA sample as
8 a condition of supervised release;

9 H. A requirement that Respondent not engage, as whole or partial owner, employee,
10 or consultant, volunteer, or otherwise, in any business involving the billing of medical services
11 without the express approval of the Probation Officer prior to engaging in such employment as a
12 condition of supervised release; and

13 I. A requirement that Respondent not be employed in any position that requires
14 licensing and/or certification by any local, state, or federal agency without the prior written
15 approval of the Probation Officer as a condition of supervised release.

16 14. The circumstances leading to Respondent's criminal conviction are as follows:

17 A. Between September 2008 and June 2009, Respondent worked as a licensed
18 physician and served as the medical director of the Claude R. Cahen, M.D., Inc., Clinic located on
19 Live Oak Avenue in Arcadia, California (the Arcadia Clinic). During this time, Respondent
20 enrolled the Arcadia Clinic as a provider with Medicare,² a federal health care benefit program
21 that provides reimbursement for medically necessary services to persons aged sixty-five years and
22 older, as well as for certain disabled persons. Respondent signed a Medicare provider application
23 enrolling the Arcadia Clinic as a Medicare provider in August 2008.

24 B. As part of the Medicare enrollment process, Respondent certified to Medicare
25 that the Arcadia Clinic would not submit false or fraudulent claims to Medicare or submit claims

26 ² Medicare is administered by the Centers for Medicare and Medicaid Services, a federal agency
27 under the United States Department of Health and Human Services. Individuals that qualify for Medicare
28 benefits are referred to as "beneficiaries," whereas physicians and other health care providers that are
reimbursed by Medicare are referred to as "providers."

1 with "deliberate ignorance or reckless disregard for their truth or falsity."³ After approving the
2 application, Medicare assigned a group provider number to the Arcadia Clinic. Shortly thereafter,
3 Respondent, along with Dr. W.M. and Dr. R.W., started submitting claims to Medicare under the
4 Arcadia Clinic's group provider number, indicating in all of the submitted claims that the services
5 were provided at the Arcadia Clinic.

6 C. Between September 2008 and June 2009, Respondent conspired with H.H. and
7 others at the Arcadia Clinic to defraud the Medicare program by billing it for medically
8 unnecessary diagnostic tests that were often never performed on the patients. Respondent joined
9 the conspiracy with the knowledge of and intent of the conspiracy's goal of defrauding Medicare.

10 D. Respondent never informed Medicare that the Arcadia Clinic was purportedly
11 performing diagnostic testing despite a requirement that he do so as a Medicare provider.
12 Respondent also failed to provide the names of technicians or locations at which the tests were
13 ostensibly performed. Moreover, while associated with the Arcadia Clinic, Respondent did not:
14 (1) see or perform services for any patients; (2) observe Dr. W.M or Dr. R.W. perform any
15 services for any patients; (3) see or review any patient charts; (4) supervise any technicians; or (5)
16 take any steps to verify that the diagnostic tests billed to Medicare under the Arcadia Clinic's
17 group number were actually provided and medically necessary.

18 E. Respondent knew that H.H. and others affiliated with the Arcadia Clinic submitted
19 false and fraudulent claims to Medicare for services allegedly provided to Medicare beneficiaries
20 by the Arcadia Clinic. Respondent was not in the country between December 2008 and June
21 2009. However, Respondent knew that the Arcadia Clinic continued to submit claims to
22 Medicare under the Arcadia Clinic's group provider number, including claims on which
23 Respondent was listed as the rendering provider, and continued to be reimbursed by Medicare for
24 those claims while Respondent was out of the country.

25 ///

26 ³ Medicare requires providers to submit a claim for reimbursement of services. Among other
27 things, providers must submit the following to Medicare: the beneficiary's name; diagnosis; the Current
28 Procedural Terminology (CPT) code for the service provided to the beneficiary; the date and location of the
provided service; and the name and physician identification number of the provider who rendered service.

1 F. Respondent also left with H.H. and other individuals associated with the Arcadia
2 Clinic a number of pre-signed, blank checks drawn on the Citibank bank account that Respondent
3 established for the Arcadia Clinic. Respondent was aware that H.H. and others associated with
4 the Arcadia Clinic used those checks to pay large amounts of money to corporations including
5 "IFA Group, Inc." and "UFA Group, Inc.," although Respondent was not aware of any services
6 that those corporations provided to the clinic.

7 G. In total, the Arcadia Clinic billed Medicare approximately \$1,189,520.00,
8 primarily for diagnostic tests. Medicare paid the Arcadia Clinic approximately \$573,315.19 on
9 those claims, which represents the loss incurred by Medicare.

10 **FIRST CAUSE FOR DISCIPLINE**

11 **(Conviction of a Crime Substantially Related to the Practice of a Physician & Surgeon)**

12 15. By reason of the facts set forth in paragraphs 13 and 14 above, Respondent's license
13 is subject to disciplinary action under Section 2234, subdivision (a), Section 2236, subdivision
14 (a), and Section 490 of the Code, as well as California Code of Regulations, title 16, Section
15 1360, in that Respondent has been convicted of a crime that is substantially related to the
16 qualifications, functions or duties of a physician and surgeon.

17 16. Respondent's acts and/or omissions as set forth in paragraphs 13 and 14 above,
18 whether proven individually, jointly, or in any combination thereof, constitute the conviction of a
19 crime that is substantially related to the qualifications, functions or duties of a physician and
20 surgeon pursuant to Section 2234, subdivision (a), Section 2236, subdivision (a), and Section 490
21 of the Code, as well as California Code of Regulations, title 16, Section 1360.

22 **SECOND CAUSE FOR DISCIPLINE**

23 **(Dishonest or Corrupt Act Substantially Related to the Practice of a Physician & Surgeon)**

24 17. By reason of the facts set forth in paragraphs 13 and 14 above, Respondent's license
25 is subject to disciplinary action under Section 2234, subdivision (e) of the Code, as well as
26 California Code of Regulations, title 16, Section 1360, in that Respondent has committed an act
27 or acts involving dishonesty or corruption that are substantially related to the qualifications,
28 functions or duties of a physician and surgeon.

1 18. Respondent's acts and/or omissions as set forth in paragraphs 13 and 14 above,
2 whether proven individually, jointly, or in any combination thereof, constitute the commission of
3 an act or acts involving dishonesty or corruption that are substantially related to the qualifications,
4 functions or duties of a physician and surgeon pursuant to Section 2234, subdivision (e) of the
5 Code, as well as California Code of Regulations, title 16, Section 1360.

6 **THIRD CAUSE FOR DISCIPLINE**

7 **(Unprofessional Conduct)**

8 19. By reason of the facts set forth in paragraphs 13 and 14 above, Respondent's license
9 is subject to disciplinary action under Section 2234, subdivision (a) of the Code, in that
10 Respondent has engaged in unprofessional conduct based on his conviction of a crime and
11 commission of an act or acts involving dishonesty or corruption that are substantially related to
12 the qualifications, functions or duties of a physician and surgeon

13 20. Respondent's acts and/or omissions as set forth in paragraphs 13 and 14 above,
14 whether proven individually, jointly, or in any combination thereof, constitute unprofessional
15 conduct given his conviction of a crime and the commission of an act or acts involving dishonesty
16 or corruption that are substantially related to the qualifications, functions or duties of a physician
17 and surgeon pursuant to Section 2234, subdivision (a) of the Code.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:


1. Revoking or suspending Physician's and Surgeon's Certificate Number A 43907, issued to Claude R. Cahen, M.D.;

2. Revoking, suspending or denying approval of Claude R. Cahen, M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code;

3. Ordering Claude R. Cahen, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

4. Taking such other and further action as deemed necessary and proper.

DATED: February 2, 2017


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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